

IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
SE/8 Ebenezer Road, 950' E * DEPUTY ZONING COMMISSIONER
of Earls Beach Road * OF BALTIMORE COUNTY
(6841 Ebenezer Road)
15th Election District
5th Councilmanic District * Case No. 88-484-A
Ronald Drayer, et ux
Petitioners *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit a side yard setback of 15 feet in lieu of the required 35 feet for a proposed one story addition, as more particularly described on Petitioner's Exhibit 1.

The Petitioners appeared and testified. There were no Protests.

Testimony indicated that the subject property, known as 6841 Ebenezer Road, is zoned R.C.2. The Petitioners propose constructing a one story addition onto the existing dwelling to provide more habitable space to meet their family's needs. Due to the location of the dwelling and septic system on the property, the proposed addition cannot be built without the requested variance.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Deputy Zoning Commissioner the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and, therefore, should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 14th day of June, 1988 that a side yard setback of 15 feet in lieu of the required 35 feet for a proposed addition, in accordance with Petitioner's Exhibit 1, be approved, and as such, the Petition for Zoning Variance is hereby GRANTED, subject, however, to the following restriction:

- 1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

Ann M. Nastaronicz
ANN M. NASTARONICZ
Deputy Zoning Commissioner
for Baltimore County

AMN:bjs

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Townson, Maryland 21204
484-5533
J. Robert Haines
Zoning Commissioner

June 14, 1988

Mr. & Mrs. Ronald Drayer
6841 Ebenezer Road
Baltimore, Maryland 21220

RE: PETITION FOR ZONING VARIANCE
SE/8 Ebenezer Road, 950' E of Earls Beach Road
15th Election District; 5th Councilmanic District
Case No. 88-484-A

Dear Mr. & Mrs. Drayer:

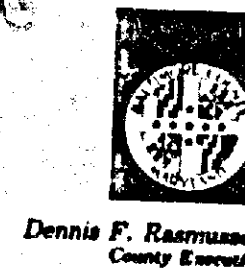
Enclosed please find the decision rendered on the above-referenced case. The Petition for Zoning Variance has been granted subject to the restrictions noted in the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 484-3391.

Very truly yours,

Ann M. Nastaronicz
ANN M. NASTARONICZ
Deputy Zoning Commissioner
for Baltimore County

AMN:bjs
Enclosure
cc: People's Counsel
File



Dennis F. Rasmussen
County Executive

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 88-484-A

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1A01.3.B.2 To Allow a side yard setback of 15 feet in lieu of the required 35 feet.

of the Zoning Regulations of Baltimore County to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

1. The kitchen is too small for the family to eat in.
2. Our teenage daughters bedroom is far too small for her belongings.
3. Privacy is needed for the master bedroom away from the household traffic.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:

(Type or Print Name)

Signature

Address

City and State

Attorney for Petitioner:

(Type or Print Name)

Legal Owner(s):

Ronald Drayer

(Type or Print Name)

Signature

Address

City and State

Signature

Address

City and State

Address

City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

Name

Address

City and State

Address

City and State

Address

City and State

Address

City and State

Address

City and State

Address

City and State

Address

City and State

Address

City and State

Address

City and State

Address

City and State

Address

City and State

Address

City and State

Address

City and State

Address

City and State

Address

City and State

Address

City and State

Address

City and State

Address

City and State

Address

City and State

Address

City and State

Address

City and State

Address

City and State

Address

City and State

Address

City and State

Address

City and State

Address

City and State

Address

City and State

Address

City and State

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353

J. Robert Haines
Zoning Commissioner

Date: 5/2/88

Mr. & Mrs. Ronald Drayer
8841 Ebenezer Road
Baltimore, Maryland 21220

Re: Petition for Zoning Variance
CASE NUMBER: 88-484-A
SEB Ebenezer Road, 950' E. of Earle Beach Road
(8841 Ebenezer Road)
15th Election District - 5th Councilmanic
Petitioner(s): Ronald Drayer, et ux
HEARING SCHEDULED: THURSDAY, JUNE 9, 1988 at 9:00 a.m.

Dear Mr. & Mrs. Drayer:

Please be advised that \$91.10 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post set(s) to the Zoning Office, County Office Building, Room 111, Towson, Maryland 21204 fifteen (15) minutes before your hearing is scheduled to begin.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE, REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 52734

DATE: 6/9/88 ACCOUNT: P-01-45-000

AMOUNT: \$ 91.10

RECEIVED FROM: Ronald Drayer, et ux

FOR: 6/9/88 Haines

88-484-A

VALIDATION OR SIGNATURE OF CARRIER

and post set(s), there for each set not

lines

YES

signer of

any

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353

J. Robert Haines
Zoning Commissioner

April 15, 1988

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance
CASE NUMBER: 88-484-A
SEB Ebenezer Road, 950' E. of Earle Beach Road
(8841 Ebenezer Road)
15th Election District - 5th Councilmanic
Petitioner(s): Ronald Drayer, et ux
HEARING SCHEDULED: THURSDAY, JUNE 9, 1988 at 9:00 a.m.

Variance to allow a side yard setback of 15 feet in lieu of the required 33 feet.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES
Zoning Commissioner of
Baltimore County

cc: Ronald Drayer, et ux
File

Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Zoning Item 347, Zoning Advisory Committee Meeting of 3-29-88

Property Owner: Ronald Drayer

Location: SEB Ebenezer Rd District 15

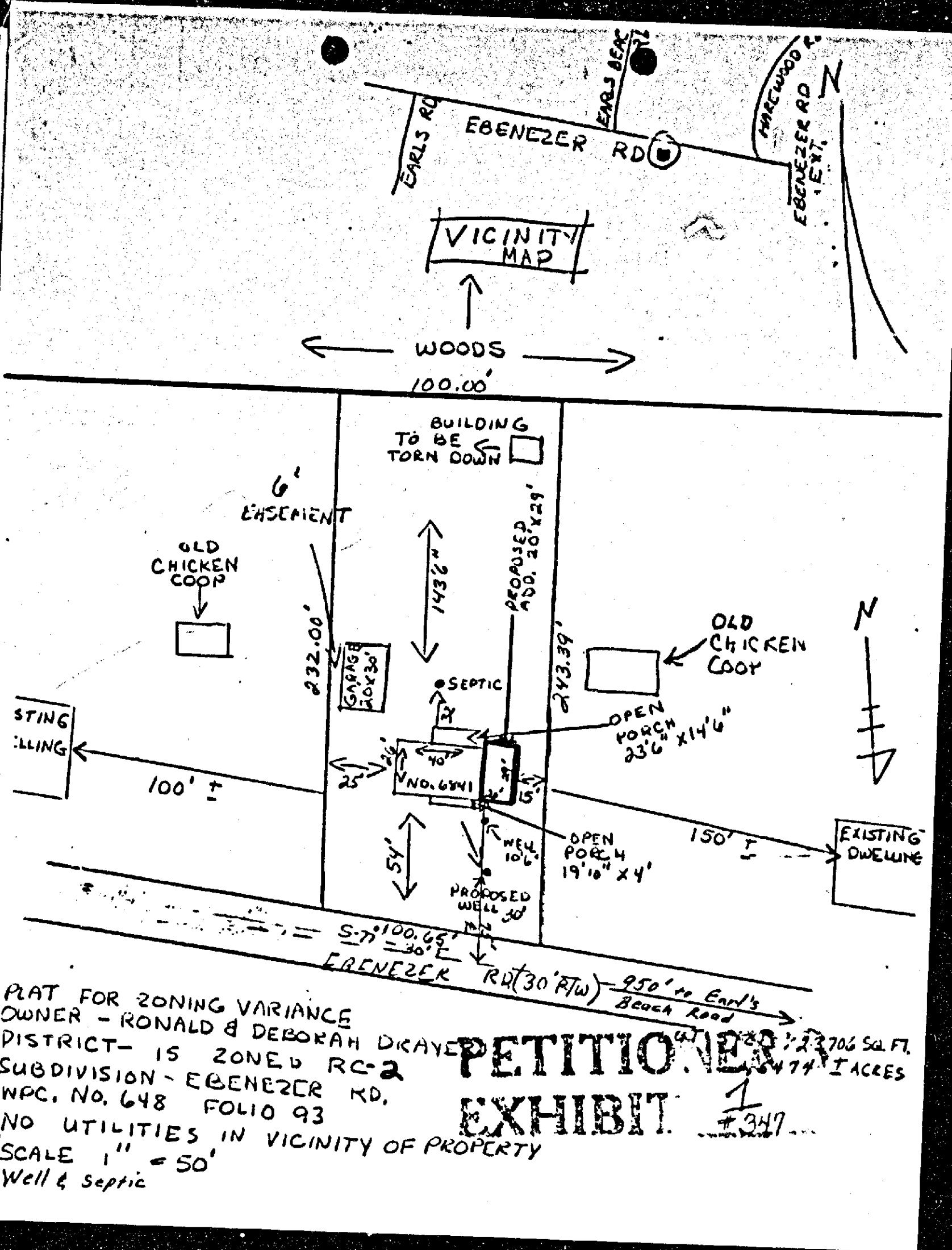
Water Supply: Public Sewage Disposal: Public

COMMENTS ARE AS FOLLOWS:

- () Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Bureau of Regional Community Services, for final review and approval.
- () Prior to new installation/s of fuel burning equipment, the owner shall contact the Bureau of Air Quality Management, 494-3775, to obtain requirements for such installation/s before work begins.
- () A permit to construct from the Bureau of Air Quality Management is required for such uses as spray paint processes, underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
- () A permit to construct from the Bureau of Air Quality Management is required for any charbroiler operation which has a total cooking surface area of five (5) square feet or more.
- () Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
- () Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, sauna, hot tub, water and sewerage facilities or other appurtenances pertaining to health and safety, two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Environmental Protection and Resource Management for review and approval. For more complete information, contact the Recreational Hygiene Section, Bureau of Regional Community Services, 494-3811.
- () Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.
- () If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with the State Department of the Environment.
- () Prior to razing of existing structure/s, petitioner must contact the Division of Waste Management at 494-3768, regarding removal and/or disposal of potentially hazardous materials and solid wastes. Petitioner must contact the Bureau of Air Quality Management regarding removal of asbestos, 494-3775.
- () Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and tank removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Waste Management at 494-3768.
- () Soil percolation tests, have been _____ must be _____ conducted.
- () The results are valid until _____
- () Soil percolation test results have expired. Petitioner should contact the Division of Water and Sewer to determine whether additional tests are required.
- () Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.
- () In accordance with Section 13-117 of the Baltimore County Code, the water well yield test () shall be valid until _____ is not acceptable and must be retested. This must be accomplished prior to conveyance of property and approval of Building Permit Applications.
- () Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
- () If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental Effects Report must be submitted.

Others: *Department of public property provided sewage disposal system, sewage lines, etc. to be installed. Petitioner should contact the Division of Engineering and Maintenance for more complete information. The results of the water well yield test must also be provided. For approval of water well, contact Mr. Robert Haines at 494-3775.*

Karen M. Murray
BUREAU OF WATER QUALITY AND RESOURCE
MANAGEMENT



PAT FOR ZONING VARIANCE
OWNER - RONALD & DEBORAH DRAVER
DISTRICT - 15 ZONE RC-2
SUBDIVISION - EBENEZER RD.
NPC. NO. 648 FOLIO 93
NO UTILITIES IN VICINITY OF PROPERTY
SCALE 1" = 50'
Well & Septic

PETITIONER
EXHIBIT 1

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
County Office Building
Towson, Maryland 21204
494-3554

May 6, 1988

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, and 347.

Very truly yours,

Stephen E. Weber, P.E.
Assistant Traffic Engineer

SEW/RF/pml-b

RECEIVED
MAY 11 1988
ZONING OFFICE

Baltimore County
Fire Department
Towson, Maryland 21204-2586
494-4500

Paul H. Reincke
Chief

April 5, 1988

J. Robert Haines
Zoning Commissioner

Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

Re: Property Owner: Ronald Drayer, et ux

Location: SE/S Ebenezer Road, 950' E. of Earle Beach Road

Item No.: 347

Zoning Agenda: Meeting of 3/29/88

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals or _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at _____

EXCEEDS the maximum allowed by the Fire Department.

- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.

- () 6. Site plans are approved, as drawn.

- () 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *Carl H. Reincke* Noted and Approved: *John F. O'Neill*
Special Inspection Division

/s/

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines

Date: May 16, 1988

FROM: P. David Fields, Director

Office of Planning and Zoning

SUBJECT: Zoning Petitions 88-480-A, 88-481-A, 88-482-A, 88-483-A, 88-484-A, 88-485-A, 88-486-A, 88-487-A, 88-488-A, 88-489-A, 88-490-A, 88-491-A, 88-492-A, 88-493-A, 88-494-A, 88-495-A, 88-496-A, 88-497-A, 88-498-A, 88-499-A, 88-500-A, 88-501-A, 88-502-A, 88-503-A, 88-504-A, 88-505-A

There are no comprehensive planning factors requiring comments on these petitions.

P. David Fields
Office of Planning and Zoning

PDF/jat

RECEIVED
MAY 17 1988
ZONING OFFICE

cc: Ronald Drayer, et ux
5/16/88

CPS-009